

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Timothy Dupont

v.

Case No. 08-cv-385-SM


State of New Hampshire

ORDER

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Muirhead dated February 4, 2009, for the reasons set forth therein. Plaintiff's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is hereby dismissed without prejudice.

SO ORDERED.

February 12, 2009



Steven J. McAuliffe
Chief Judge

cc: Timothy Dupont, pro se